

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**FEDERAL MANUFACTURING, LLC,
Plaintiff,**

v.

Case No. 21-C-0739-LA

**MATTHEW R. WANAT,
Defendant.**

TEMPORARY RESTRAINING ORDER

On July 23, 2021, at 9:07 a.m., the Court held a hearing/status conference relating to plaintiff Federal Manufacturing, LLC's ("Federal") motion for preliminary injunction and the parties' prior stipulated temporary restraining order, ECF No. 16. A preliminary-injunction hearing had been set for 9:00 a.m. on July 23, but the Court adjourned the hearing to allow Federal additional time to obtain expedited discovery from non-party Serac, Inc. Defendant requested modifications to the terms of the stipulated restraining order, contending that without modification the stipulated restraining order would cause the termination of his employment. The parties could not agree on acceptable modifications. After considering the arguments of counsel, the Court found that a temporary restraining order must issue to preserve the status quo and protect Federal from irreparable harm stemming from its claims that defendant Matthew R. Wanat misappropriated its trade secrets and is violating the terms of his noncompete agreement with Federal, on which claims Federal has some likelihood of success. See Fed. R. Civ. P. 65. However, to minimize the harm to the defendant and prevent the termination of his employment, the court narrowed the scope of the stipulated restraining order to allow Wanat to solicit customers of Federal's affiliate Modern Packaging, Inc., so long as he tracked his contacts with Modern, which would assist Federal in identifying any damages it suffered from the solicitation and minimize the possibility of its suffering irreparable harm pending the hearing on the motion for preliminary injunction.

Accordingly, **IT IS ORDERED** that:

1. Defendant Matthew R. Wanat, as well as all persons acting in concert with him, is restrained from directly or indirectly using, disclosing, copying, or transmitting Federal Manufacturing, LLC's ("Federal") confidential and/or trade secret information for any purpose.

2. Defendant Matthew R. Wanat is restrained from directly or indirectly soliciting or servicing any customers of Federal or its affiliate Pacific Packaging, LLC, with a limited exception for customers of the NOVA product line.

3. Defendant Matthew R. Wanat is not restrained from soliciting or servicing any customers of Federal's affiliate Modern Packaging, Inc. ("Modern"), on behalf of Serac, Inc., with respect to the NOVA product line. Wanat shall maintain and provide to Federal's counsel, subject to the terms of the July 20, 2021 protective order, a weekly written record of each contact that he makes with a representative of Modern. .

4. The terms of this temporary restraining order shall remain in effect until the evidentiary hearing on the plaintiff's motion for a preliminary injunction on August 16, 2021, or as ordered and extended otherwise. Although this order will remain in force longer than 14 days, defendant Wanat has consented, through his counsel, to the order's remaining in effect until August 16 to accommodate his scheduling needs. See Fed. R. Civ. P. 65(b)(2).

Dated at Milwaukee, Wisconsin, this 23rd day of July, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge